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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,432	01/22/2002	Herve' Guy Bricaud	C-CPI-0095	5379

7590 06/24/2004

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EXAMINER

GUSHI, ROSS N

ART UNIT PAPER NUMBER

2833

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

kd

Office Action Summary	Application No.	Applicant(s)	
	10/054,432	BRICAUD ET AL.	
	Examiner	Art Unit	
	Ross N. Gushi	2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-10 is/are objected to.
- 8) ☒ Claim(s) 11-19 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/15/02</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in —

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a);

Claims 1 is rejected under 35 U.S.C. 102(b) as being anticipated by WO 98/33138 ("Hyland").

Per claim 1, Hyland discloses a smart card connector that has a base with front and rear portions and laterally-spaced opposite sides, the base having a base frame and a plurality of contacts mounted on the base frame, and the connector has a cover 30 with a rear portion pivotally connected to the base about a laterally-extending axis to allow the cover to pivot between closed and open positions, the cover having a cover frame with laterally opposite sides and the cover having a card-holding region for holding a smart card, wherein: said base has a pair of largely downwardly-facing base shoulders 21 at laterally opposite sides of the base; said cover has a locking member 40 with laterally opposite side portions that form lock parts 42, said locking member being moveable on the cover frame between locked and unlocked positions to move

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each of said side portions along a path, wherein when the cover is closed and said locking member is in said locked position said lock parts of said locking member lie under said base shoulders to lock the cover closed, and in said unlocked position said lock parts of said locking member do not lie under said shoulders, and including switch means 80, 82, lying in the path of at least one of said side portions of said locking member, for detecting the position of the locking member.

Allowable Subject Matter

Claims 2-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 11-19 are allowable.


The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 2, the prior art does not suggest the connector as claimed, including the combination of all the claimed elements, the combination including the switch blades positioned to be deflected as claimed. Regarding claim 5, the prior art does not suggest the connector as claimed, including the combination of all the claimed elements, the combination including the pair of switch blades and including that the lock part moves between the shoulder and blade as claimed. Regarding claim 7, the prior art does not suggest the connector as claimed, including the combination of all the claimed elements, the combination including that the locking member is slideable forwardly and rearwardly as claimed. Regarding claims 8, 10, and 15, the prior art does not suggest the connector as claimed, including the combination of all the claimed elements, the combination including switching traces as claimed. Regarding claim 11,

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the prior art does not suggest the connector as claimed, including the combination of all the claimed elements, the combination including resilient switch blades as claimed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (571) 272-2005. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at 571-272-2800 extension 33. The phone number for the Group's facsimile is (703) 872-9306.


ROSS GUSHI
PRIMARY EXAMINER